

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
14307-6Total Pages in this Submission  
129**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**TRANSPEDICULAR INTERVERTEBRAL DISK ACCESS METHODS AND DEVICES**

and invented by:

Samuel M. SHAOLIAN, George P. TEITELBAUM  
Thann Van NGUYEN, Frank NGUYEN,  
To V. PHAM, Vincent DIVINO, Jr., and  
Michael R. HENSON

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/420,422

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: PCT/US03/09285

Which ☒ claims the benefit of United States Provisional Patent Application 60/424,942

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 62 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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**(Small Entity)**

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal      Number of Sheets      41
- b. ☐ Informal      Number of Sheets      \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)*      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail *(Specify Label No.):* EV 247106472 US

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

**Total Pages in this Submission**  
**129**

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted:

- |  |
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## P01USML/REV06

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**(Small Entity)**

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	33	- 20 =	13	x \$9.00	\$117.00
Indep. Claims	1	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$375.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$492.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-2090** as described below.
- ☒ Charge the amount of **\$492.00** as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: June 25, 2003



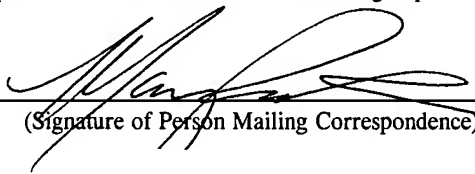
**23676**

PATENT TRADEMARK OFFICE

cc: Vertelink Corporation

Signature

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 14307-6
Serial No. To be assigned	Filing Date June 25, 2003	Examiner To be assigned	Group Art Unit To be assigned
Inventor(s): SHAOLIAN, Samuel M. et al.			
Invention: "Transpedicular Intervertebral Disk Access Methods and Devices"			
I hereby certify that the following correspondence: 1. Utility Patent Application Transmittal (Small Entity) (4 pages) 2. United States Patent Application (54 pages Disclosure, 7 pages Claims and 1 page Abstract) 3. 41 Sheets of Drawings (Figures 1-54) 4. Combined Declaration and Power of Attorney executed by the seven inventors (5 pages) 5. Power of Attorney by Assignee Vertelink Corporation (1 page) 6. Assignments of Rights executed by the seven inventors (2 pages each, 14 pages total) 7. Recordation Form Cover Sheet 8. Acknowledgment Postcard is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: June 25, 2003. (Date)			
Marilyn Paik (Typed or Printed Name of Person Mailing Paper or Fee)			
 (Signature of Person Mailing Correspondence)			
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